

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LESIA REDMAN,)
Plaintiff,) Civil Action No. 2:08cv00065-MEF
vs.)
KFC, INC., et al,)
Defendants.)

SECOND AMENDMENT TO COMPLAINT

The Plaintiff has determined the following parties need be added as party defendants:

1. JRN, Inc., a Tennessee corporation, the operating company of KFC store #0508 located on Coliseum Boulevard in Montgomery, Alabama; and
2. KFC U.S. Properties, Inc., a Delaware corporation, d/b/a KFC store #0508 located on Coliseum Boulevard in Montgomery, Alabama.

The Plaintiff adopts and re-alleges all other paragraphs included in the original Complaint as follows:

STATEMENT OF THE PARTIES

1. Plaintiff Lesia Redman is over the age of nineteen (19) years and resides in Pike County, Alabama.
2. Defendant KFC, Inc. ("KFC") is, and all times herein mentioned was, a corporation organized doing business in the State of Alabama.
3. Fictitious Defendants A through F, being those persons or entities who may be legally responsible for the claims set forth herein and who may be added by amendment by Plaintiffs when their identities are ascertained by further discovery

and who are parties described herein or are otherwise obligated to perform the duties and obligations described herein.

4. This action is based upon negligent conduct of KFC, Inc., in Montgomery, Montgomery County, Alabama on or about the 9th day of August, 2006.

COUNT I- NEGLIGENCE

5. Plaintiff adopts and re-alleges paragraphs 1 through 4 above as if fully set forth herein.
6. On or about the 9th day of August, 2006, Plaintiff was injured at KFC in Montgomery, Alabama, Plaintiff Lesia Redman attempted to utilize the bathroom facilities at KFC and immediately upon contact with the commode Plaintiff Redman fell to the floor suffering injury. After the injury, witnesses observed the commode to be unattached. The manager was summoned to the restroom and also witnessed the unattached commode.
7. As a proximate cause of the Defendant's said negligence, the Plaintiff was caused to suffer bodily injury which caused the Plaintiff to undergo medical treatment. The Plaintiff has incurred expenses for medical attention that she received. The Plaintiff continues to suffer bodily injuries and medical expenses for her injuries and will be caused to suffer bodily injury and medical expenses in the future as the result of the Defendant's negligence. The Plaintiff also lost income and continues to lose income as a result of the Defendant's negligence.
8. The Plaintiff was caused to suffer emotional distress and mental anguish as the result of the Defendant's negligence.

WHEREFORE, the Plaintiff demands judgment against the Defendant, in an amount to be

determined by this Honorable Court, to compensate the Plaintiff for her personal injuries and costs.

COUNT II- GROSS NEGLIGENCE/ WANTONESS

9. Plaintiff adopts and re-alleges paragraphs 1 through 8 above as if fully set forth herein.
10. On or about the 9th day of August, 2006, Plaintiff was injured at KFC in Montgomery, Alabama, Plaintiff Lesia Redman attempted to utilize the bathroom facilities at KFC and immediately upon contact with the commode Plaintiff Redman fell to the floor suffering injury. After the injury, witnesses observed the commode to be unattached. The manager was summoned to the restroom and also witnessed the unattached commode.
11. As a proximate cause of the Defendant's said gross negligence, the Plaintiff was caused to suffer bodily injury which caused the Plaintiff to undergo medical treatment. The Plaintiff has incurred expenses for medical attention that she received. The Plaintiff continues to suffer bodily injuries and medical expenses for her injuries and will be caused to suffer bodily injury and medical expenses in the future as the result of the Defendant's gross negligence. The Plaintiff also lost income and continues to lose income as a result of the Defendant's gross negligence.
12. The Plaintiff was caused to suffer emotional distress and mental anguish as the result of the Defendant's gross negligence.

WHEREFORE, the Plaintiff demands judgment against the Defendant, in an amount to be determined by this Honorable Court, to compensate the Plaintiff for her personal injuries and costs.

Respectfully submitted this 11th day of February, 2008.

s/ Clifton F. Hastings
Clifton F. Hastings (HAS014)
F.P. Ralph (RAL002)
Attorneys for the Plaintiff
CERVERA, RALPH & REEVES, LLC
914 South Brundidge Street
P. O. Box 325
Troy, Alabama 36081
(334) 566-0116
chastings@troycable.net

CERTIFICATE OF SERVICE

This *Second Amendment to Complaint* has been forwarded along with Summons and proper postage prepaid to the United States District Court for the Middle District of Alabama on this 11th day of February, 2008 for service upon the following parties:

KFC, Inc.
c/o The Corporation Company
2000 Interstate Park Drive, Suite 204
Montgomery, Alabama 36109

JRN, Inc.
c/o The Corporation Company
2000 Interstate Park Drive, Suite 204
Montgomery, Alabama 36109

KFC U.S. Properties, Inc.
c/o The Corporation Company
2000 Interstate Park Drive, Suite 204
Montgomery, Alabama 36109

s/ Clifton F. Hastings
Clifton F. Hastings